

UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION

NICHOLAS BART ELLIS,

Plaintiff,

VS.

SERGEANT A. NAVARRO;  
CORRECTIONAL OFFICER F. JUAREZ;  
CORRECTIONAL OFFICER B. GARDNER;  
APPEALS COORDINATOR C.E. WILBER,

## Defendants.

Case No: C 07-5126 SBA

## **ORDER OF CONDITIONAL DISMISSAL**

SERGEANT A. NAVARRO;  
CORRECTIONAL OFFICER F. JUAREZ;  
CORRECTIONAL OFFICER B. GARDNER;  
APPEALS COORDINATOR C.E. WILBER,

## Defendants.

The Court having been notified of the settlement of this action, and it appearing that no issue remains for the Court's determination,

IT IS HEREBY ORDERED THAT this action and all claims asserted herein are DISMISSED with prejudice. In the event that the settlement is not reached, any party may move to reopen the case and the trial will be rescheduled, provided that such motion is filed within 30 days of this order. All scheduled dates, including the trial and pretrial dates, are VACATED.

IT IS SO ORDERED.

Dated: August 23, 2012

Saundra B Armstrong  
SAUNDRA BROWN ARMSTRONG  
United States District Judge